

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>PHILIDOR RX SERVICES LLC, et al.,</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	
	:	<b>NO. 20-5518</b>
<b>POLSINELLI PC, et al.,</b>	:	
	:	
<b>Defendant.</b>	:	
	:	
	:	
	<b><u>ORDER</u></b>	

**AND NOW**, this \_\_5th\_\_ day of August 2021, upon consideration of Defendants' Motion to Dismiss (ECF 12) and Plaintiffs' Response in Opposition (ECF 18), **IT IS HEREBY ORDERED AND DECREED** that the Motion is **GRANTED IN PART**.

1. The Motion is **GRANTED** as to Counts I and II of Plaintiffs' Complaint. These claims are **DISMISSED WITH PREJUDICE**;
2. The Motion is **DENIED** as to Count III, though Jonathan N. Rosen, Esq. is **DISMISSED** as an individual Defendant. Plaintiffs may replead their Complaint to allege facts demonstrating that the statute of limitations do not apply to their legal malpractice claims, and ;
3. The Motion for Leave to File a Reply (ECF 19) is **DENIED AS MOOT**.<sup>1</sup>

**BY THE COURT:**

**/s/ Petrese B. Tucker**

---

**Hon. Petrese B. Tucker, U.S.D.J.**

---

<sup>1</sup> This Order accompanies the Court's Memorandum Opinion dated August 5, 2021.